FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1134 OF 2006 IN SUIT NO.1483 OF 2005

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Ms. Vanita Kakar with M.S. Punika Khanna for the plaintiff.

Mr. S.K.Chaurasia i/by A.M.Sarogi for the Defendant No.2.

Mr.K.N. Khandekar i/by Dhanjay Singh for the respondent No.3.

CORAM : R.S. MOHITE,J.
DATED : 05/9/2006.

P.C.

1. This chamber summons is taken out by the original plaintiff for condonation of delay in filing the chamber summons and for restoration of the suit. It is seen that the order dated 29.3.2005 was passed by the Prothonotary and Sr. Master directing the plaintiff that office objections should be removed on or before 5.6.2005 failing which plaint to stand rejected. As the office objections are not removed, plaint is rejected. It is stated in the affidavit in support of

the chamber summons that the plaintiff was not keeping good health. The Advocate did not inform the plaintiff about the objections and that the plaintiff came to know about the dismissal of the suit only when some other proceedings in the court were being heard. The original defendant who appears through advocate has not filed any reply and therefore, the contents of the chamber summmons are deemed to have been accepted. In the circumstances, chamber summons is made absolute in terms of prayer clause (a) and (b) subject to payment of costs of Rs.500/- each to all the defendants. Costs to be paid within a period of three weeks from today. Chamber summons is therefore, disposed off.

(R. S. MOHITE, J.)